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5 November 1952

MEMORANDUM FOR: Mr. Reber

SUBJECT: Status of an "alien employee" of State vis-a-vis
classified and/or controlled national intelligence

PROBLEM

1. To reply to an inquiry from State for the CIA position on whether an alien employee of State is entitled to see classified or controlled national intelligence.

FACTS

2. Mr. Smigel, IAD called and requested the CIA position on this subject which is primarily one of NIS dissemination.

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3. I discussed this with [] and was advised that the NIS Committee had considered this question. There was no unanimity of opinion:

a. The Armed Forces do not permit aliens to see any classified material.

b. State, at the top level (R), leans toward the military position that "U. S. Officials Only" or "Not Releaseable to Foreign Nationals" cannot be shown to alien employees on the basis they are foreign nationals although employed by the U. S.

4. The working level in State recognizes that a problem exists in that alien employees abroad handle classified material including controlled material at the Restricted level.

5. I discussed this with I&S, who in turn contacted SY.

6. I&S states the CIA position is:

a. Alien employees of the U. S. are foreign nationals and cannot see material marked "U. S. Officials Only" nor "Not Releaseable to Foreign Nationals."

b. Alien employees may see classified national intelligence not controlled providing they are cleared for that classification by the employing agency.

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RECOMMENDATION

7. That you release the attached memorandum of conversation which, if you approve, I will hold with Mr. Smigel.

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